



## **Maryland Sentencing Guidelines Compliance and Average Sentence for the Most Common Person, Drug and Property Offenses (Fiscal Year 2012)**

The tables below summarize Maryland sentencing guidelines compliance and average sentence for the five most common offenses in each crime category (person, drug, and property). The tables are based on sentencing guidelines worksheets submitted to the Maryland State Commission on Criminal Sentencing Policy (MSCCSP) for circuit court convictions sentenced between July 1, 2011 and June 30, 2012. Only single count cases were included. The accuracy and completeness of the sentencing data summarized below are directly related to the quality of the information entered in each guidelines worksheet.

A sentence is deemed compliant with the guidelines if the initial sentence (defined as the sum of incarceration, credited time, and home detention) falls within the applicable guidelines range. In addition, the MSCCSP has deemed a sentence compliant if the judge sentenced a defendant to a period of pre-sentence incarceration time with no additional post-sentence incarceration time and the length of credited pre-sentence incarceration exceeds the upper guidelines range for the case. As of July 2001, all sentences pursuant to an American Bar Association (ABA) plea agreement are considered compliant, as they represent an accurate reflection of the consensus of the parties and the court within the specific community they represent. Similarly, sentences to correctional options programs (e.g., drug court; Health General, §8-507 commitments; home detention) are deemed compliant provided that the initial sentence plus any suspended sentence falls within or above the applicable guidelines range and the case does not include a crime of violence, sexual child abuse, or escape.



### Person Offenses – Fiscal Year 2012

Person Offenses	Cases with Valid Data	Guidelines Compliance			% Incarcerated	Average Sentence Length Among Those Incarcerated:	
		% Within	% Below	% Above		Total Sentence	Total Sentence, Less Suspended Sentence
Assault, 2 <sup>nd</sup> Degree [CR, §3-203]	843	83%	12.8%	4.2%	69.4%	5 years (3.3)	1.4 years (1.9)
Robbery [CR, §3-402]	402	87.1%	11.9%	1%	87.3%	8.6 years (4.2)	2.7 years (2.8)
Assault, 1 <sup>st</sup> Degree [CR, §3-202]	248	75%	20.2%	4.8%	93.1%	12.6 years (6.7)	5.1 years (5.1)
Robbery with Dangerous Weapon [CR, §3-403]	225	73.8%	23.1%	3.1%	93.8%	11.6 years (5.6)	5.3 years (4.5)
Handgun, unlawful wearing or carrying, 1 <sup>st</sup> weapon offense [CR, §4-203(c)(2)(i)]	132	86.4%	12.9%	0.8%	70.5%	2.4 years (.9)	1 year (1)

NOTE: The standard deviation is listed in parentheses below each mean. The standard deviation measures the spread of a set of data around the mean of the data. In a normal distribution, approximately 68 percent of scores fall within plus or minus one standard deviation of the mean, and 95 percent fall within plus or minus two standard deviations of the mean.



### Drug Offenses – Fiscal Year 2012

Drug Offenses	Cases with Valid Data	Guidelines Compliance			% Incarcerated	Average Sentence Length Among Those Incarcerated:	
		% Within	% Below	% Above		Total Sentence	Total Sentence, Less Suspended Sentence
Distribute Cocaine [CR, §5-608(a)]	816	72.8%	26.5%	0.7%	72.5%	8 years (5.5)	3 years (3.6)
Distribute Marijuana [CR, §5-607(a)]	784	85.6%	13%	1.4%	59.9%	3.1 years (1.8)	0.8 years (1)
Distribute Heroin [CR, §5-608(a)]	559	80.3%	18.8%	0.9%	71.9%	7.1 years (4.9)	2.1 years (2.6)
Possess Marijuana or Possess/Distribute Paraphernalia [CR, §5-601(c)(2)] [CR, §5-620(d)(2)]	221	90%	0%	10%	38.5%	0.7 years (.4)	0.2 years (.3)
Possess Cocaine or Possess/Distribute Paraphernalia [CR, §5-601(c)(1)] [CR, §5-620(d)(1)]	122	80.3%	18%	1.6%	68.9%	2.7 years (1.5)	1.1 years (1.2)

NOTE: The standard deviation is listed in parentheses below each mean. The standard deviation measures the spread of a set of data around the mean of the data. In a normal distribution, approximately 68 percent of scores fall within plus or minus one standard deviation of the mean, and 95 percent fall within plus or minus two standard deviations of the mean.



### Property Offenses – Fiscal Year 2012

Property Offenses	Cases with Valid Data	Guidelines Compliance			% Incarcerated	Average Sentence Length Among Those Incarcerated:	
		% Within	% Below	% Above		Total Sentence	Total Sentence, Less Suspended Sentence
Burglary, 1 <sup>st</sup> Degree [CR, §6-202]	349	77.1%	21.8%	1.1%	84.2%	8.5 years (5.6)	3 years (3.4)
Burglary, 2 <sup>nd</sup> Degree [CR, §6-203(c)(1)]	220	71.8%	27.7%	0.5%	78.2%	6.8 years (4.6)	2.4 years (2.9)
Felony Theft or Theft Scheme, At Least \$1,000 but Less Than \$10,000 [CR, §7-104(g)(1)(i)]	219	76.3%	20.5%	3.2%	70.3%	5.8 years (3.2)	1.9 years (2.3)
Misdemeanor Theft or Theft Scheme, Less Than \$1,000 [CR, §7-104(g)(2)]	193	76.7%	18.7%	4.7%	64.8%	1.3 years (.4)	0.6 years (.5)
Burglary, 4 <sup>th</sup> Degree [CR, §6-205]	151	74.2%	21.2%	4.6%	68.2%	2.2 years (1)	0.7 years (.8)

NOTE: The standard deviation is listed in parentheses below each mean. The standard deviation measures the spread of a set of data around the mean of the data. In a normal distribution, approximately 68 percent of scores fall within plus or minus one standard deviation of the mean, and 95 percent fall within plus or minus two standard deviations of the mean.